

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

.....X

MONIQUE KATZ and YEKATERINA SKIDANENKO, individually and on behalf all others similarly situated,

Plaintiffs,

-against-

EQUINOX HOLDINGS, INC.

Defendant.

Civ. No.: 20-cv-9856
(VEC)(RWL)

.....X

DEFENDANT EQUINOX HOLDINGS INC.'S NOTICE OF MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT

PLEASE TAKE NOTICE that, upon the annexed Declaration of Noel P. Tripp, Esq., with attached exhibits, and Memorandum of Law in Support of Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint, Defendant EQUINOX HOLDINGS, INC., by and through its attorneys, Jackson Lewis P.C., will move this Court before the Honorable Valerie E. Caproni, at the United States District Court, Southern District of New York, 40 Foley Square, New York, New York 10007, on March 8, 2022, or as soon thereafter as counsel may be heard, for an order granting Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint pursuant to 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as may be just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Court's Scheduling Order, dated December 8, 2021, opposition papers, if any, shall be served on or before February 15, 2022, and reply papers, if any, shall be served and filed on or before March 4, 2022.

Dated: Melville, New York

January 21, 2022

Respectfully submitted,

JACKSON LEWIS P.C.
ATTORNEY FOR DEFENDANT
58 South Service Rd., Ste. 250
Melville, New York 11747

By: *s/ Noel P. Tripp*
NOEL P. TRIPP, ESQ.

4877-0526-0298, v. 1